

REMARKS**Summary of the Office Action**

In the Office Action dated November 24, 2003, the drawings stand objected to allegedly because they do not show every feature of the invention. The abstract is objected to for allegedly exceeding 150 words. The title is objected to for allegedly not being precise nor descriptive. Claims 1 and 3 stand objected to allegedly because the concept of "arranging first electrode on one area of correction unit at a position maximizing an aberration" is not clearly defined in the specification. Moreover, the Office Action states that the position of minimum aberration is not clearly defined. Claims 1 and 3 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6, 141, 304 to Ogasawara (hereinafter "Ogasawara"). Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Ogasawara as applied to claim 1 above.

Summary of the Response to the Office Action

Applicant files concurrently herewith a Submission of Replacement Drawing Sheets. Applicant replaced the abstract with a new abstract. Applicant replaced the title with a new title. Applicant has amended independent claim 1 as provided herein. Applicant canceled claims 2 and 4 without prejudice or disclaimer. Accordingly, claims 1 and 3 are now pending in this application.

The Objections to the Drawings

The drawings stand objected to allegedly because they do not show every feature of the invention. Applicant files concurrently herewith a Submission of Replacement Drawing Sheets.

In the Replacement Drawing Sheets, Figures 4a, 4b and 5 have been amended by labeling the X-axis and the Y-axis in each of these figures to indicate the appropriate unit corresponding to these axes. Applicant respectfully submits that the amended drawings fully comply with the requirements of 37 C.F.R. §§ 1.83(a), 1.84(p) and 1.84(o). Accordingly, Applicant respectfully requests that the objections to the drawings be withdrawn.

The Objection to the Abstract

Applicant replaced the abstract with a new abstract as provided herein. Applicant respectfully submits that the new abstract fully complies with the requirements of 37 C.F.R. § 172(b). Accordingly, Applicant respectfully requests that the objection to the abstract be withdrawn.

The Objection to the Title

The title is objected to for allegedly not being precise nor descriptive. Applicant replaced the title with a more descriptive title as provided herein. Accordingly, Applicant respectfully requests that the objection to the title be withdrawn.

The Objections to Claims 1 and 3

Claims 1 and 3 stand objected to allegedly because the concept of “arranging first electrode on one area of correction unit at a position maximizing an aberration” is not clearly defined in the specification. Moreover, the Office Action states that the position of minimum aberration is not clearly defined. The Office Action further states that claim 3 should read “further comprises” rather than “further comprise.”

With regard to the positions of minimum and maximum aberrations, Applicant respectfully submits that “a position maximizing an aberration” and “a position minimizing the aberration” can be defined as the positions corresponding to the maximum and the minimum in the distribution of the coma-aberration. Applicant further submits that these definitions are depicted in the drawings filed concurrently with the specification on March 30, 2001 in Figures 4a, 4b and 5 in light of corresponding recitations in the specification at least from page 14, line 9 to page 15, line 4. Applicant further submits that these definitions are inherent in the discussion about “dividing the electrode layer 16 into an electrode pattern corresponding to the distribution of the coma-aberration” at page 14, lines 15-16.

With regard to the recitation of “further comprise” in claim 3, Applicant respectfully submits that the subject of the verb “comprise” is the plural term “electrodes.”

In view of the foregoing, Applicant respectfully request that the objections to claims 1 and 3 be withdrawn.

The Rejections Under 35 U.S.C. §§ 102(e) and 103(a)

Claims 1 and 3 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Ogasawara. Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Ogasawara as applied to claim 1 above. Applicant has amended claim 1 as provided herein. Independent claim 1, as amended, recites an optical pickup apparatus combination including first and second electrodes, wherein:

“a summed length of said first and second electrodes in the radial direction of the optical disc ranges from 50% to 70% of a diameter of said object lens, and a length of said first or second electrode in a tangential direction of the optical disc ranges from 40% to 50% of the diameter of said object lens.”

Applicant respectfully submits that Ogasawara does not teach or suggest an optical pickup apparatus combination including at least the features of amended independent claim 1 recited above. Thus, Applicant respectfully submits that independent claim 1, as amended, is in condition for allowance as not being anticipated by Ogasawara. Moreover, Applicant respectfully submits that dependent claim 3 should be allowed for at least the same reasons as set forth above with regard to independent claim 1, and for the additional features that it recites. Accordingly, Applicant respectfully requests that the rejection of claims 1 and 3 under 35 U.S.C. § 102(e), and the rejection of claim 3 under 35 U.S.C. § 103(a), be withdrawn.

Conclusion

In view of the foregoing, Applicant respectfully requests reconsideration, withdrawal of all rejections and objections, and the timely allowance of all pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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Dated: April 23, 2004

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